



ALABAMA

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October 14, 2009

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STATE LEGISLATORS
SOUTHERN LEGISLATIVE
CONFERENCE**

Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: FCC Docket #: 07-52
Broadband Industry Practices

Dear Chairman Genachowski:

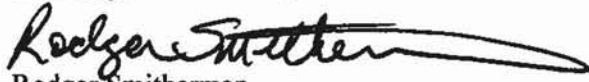
I have the privilege of serving as President Pro Tem of the Alabama Senate. I have an appreciation for the complicated issues the FCC deals with on a weekly basis, particularly with constant communications and technology changes. The purpose of this letter is to express concern over the rule making process the FCC is undertaking regarding broadband industry practices.

I agree with your stated goal of keeping an open internet platform that promotes competition. The wireless industry in Alabama is vibrant and competitive. Consumers and businesses have a variety of options when deciding how to access the internet. One of those options is through mobile broadband. A growing number of Alabamians use their mobile device to access the internet. That is why I believe it is important to keep the competitive wireless market free of new regulations. The FCC should not impose Network Neutrality regulations that could have the unintended consequence of discouraging private investment and innovation in Alabama's communication infrastructure.

Any effort to impose government regulations on wireless technology will potentially hurt our ability to spread broadband, whether wireline or wireless, throughout the state. Proposed Net

Neutrality rules would discourage infrastructure investment and slow down the economic recovery in Alabama. Thank you for considering my perspective.

Sincerely,

A handwritten signature in black ink, appearing to read "Rodger Smitherman", with a long, sweeping horizontal line extending to the right.

Rodger Smitherman
Senate President Pro Tempore